

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

GARY FOX,

Plaintiff,

Civil Action No. 16-CV-14030

vs.

HON. BERNARD A. FRIEDMAN

PENNSYLVANIA HIGHER EDUCATION
ASSISTANCE AGENCY,

Defendant.

**OPINION AND ORDER DENYING PLAINTIFF'S MOTION FOR
RECONSIDERATION AND EXTENDING SCHEDULING DEADLINES**

This matter is before the Court on plaintiff's motion for reconsideration of the Court's July 7, 2017, Order granting plaintiff's attorney's motion to withdraw [docket entry 22]. Defendant has filed a response. Pursuant to E.D. Mich. LR 7.1(f)(2), the Court shall decide this motion without a hearing.

On July 7, 2017, the Court granted plaintiff's attorney's motion to withdraw. Plaintiff's attorney had cited an irreconcilable breakdown of the attorney-client relationship.¹ Mot. to Withdraw p. 2. He and plaintiff had fundamentally disagreed regarding future action. *Id.* This, under Michigan's rules of professional conduct, suffices to allow an attorney to withdraw.

Plaintiff's motion for reconsideration fails to offer any reason why the Court should vacate its order. Indeed, plaintiff does not disagree that there was not a fundamental disagreement or irreconcilable breakdown in the attorney-client relationship. Pro se filings should be construed liberally, *Haines v. Kerner*, 404 U.S. 519, 520–21 (1972), but the Court's liberality is not limitless. Plaintiff has not shown that the Court erred, so his motion for reconsideration is denied.

¹ Defendant's response notes that this irreconcilable difference presented itself in the middle of plaintiff's deposition.

Further, "in light of the uncertainty regarding plaintiff's representation," defendant requests that all scheduling deadlines be extended. The Court finds that defendant has shown good cause for such an extension and that it is in the interests of justice.

Accordingly,

IT IS ORDERED that plaintiff's motion for reconsideration is denied.

IT IS FURTHER ORDERED that all future deadlines shall be extended sixty days; the Clerk shall issue an amendment scheduling order reflecting this change.

Dated: August 23, 2017
Detroit, Michigan

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S. mail addresses disclosed on the Notice of Electronic Filing on August 23, 2017.

s/Johnetta M. Curry-Williams
Acting in the Absence of Carol Mullins
Case Manager and Deputy Clerk